

6-29-1987

Ocean Net Fishing

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814


0394

Elections Division
(916) 445-0820
TDD: (800) 833-8683

December 2, 1987

TO: ALL REGISTRARS OF VOTERS AND COUNTY CLERKS
AND PROPONENT (87103)

FROM:


DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

Pursuant to Elections Code § 3520, subd. (b) you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: OCEAN NET FISHING.
INITIATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: June 29, 1987

PROPOSERS: Kenneth J. Kukuda

DS/lgw

F.INIT



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820
TDD: (800) 833-8683

June 29, 1987

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8741)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

Ocean Net Fishing.
Initiative Constitutional Amendment.

Circulating and Filing Schedule

1. Minimum number of signatures required..... 595,485
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date..... Monday, 06/29/87
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures..... Monday, 06/29/87
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All Sections are to be filed at
the same time within each
county..... Friday, 11/27/87*
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number
of signatures affixed to petition and to
transmit total to the Secretary of State..... Friday, 12/04/87

(If the Proponent(s) files the petition with the county on a date prior to 11/27/87, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

* Date adjusted for official deadline which falls on holiday.
Elec. C., Sec. 60.

+ PLEASE NOTE: To the Proponent who may wish to qualify for the June 7, 1988 Primary Election. The law allows approximately 71 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 71 days. But if you want to be sure that this initiative qualifies for the June 7, 1988 Primary Election, you should file this petition with the county before November 19, 1987.

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties..... Friday, 12/11/87**

- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State..... Saturday, 12/26/87

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 12/04/87 the last day is not later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

- f. If the signature count is more than 655,033 or less than 535,937, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 535,937 and 655,033 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures..... Sunday, 01/03/88**

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State..... Tuesday, 02/02/88

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 12/26/87, the last day is not later than the thirtieth day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

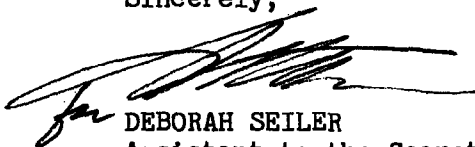
- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient..... Friday, 02/05/88

**Date varies based on receipt of county certification.

4. The Proponent of the above named measure is:

Kenneth J. Kukuda
President/Publisher
South Coast Sportfishing
3400 West MacArthur Boulevard
Santa Ana, California 92704
P.O. Box 26047
Santa Ana, California 92799-6047
(714) 540-2144

Sincerely,



DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENT(S): Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq.

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

06/29/87

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

(916) 323-1995

June 29, 1987

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

Dear Mrs. Eu:

Initiative Title and Summary.
Subject: OCEAN NET FISHING. INITIATIVE CONSTITUTIONAL
AMENDMENT
Our File No.: SA 87 RF 0006

0394
FILED
In the office of the Secretary of State
of the State of California

JUN 29 1987

MARCH FONG EU, Secretary of State
By *[Signature]* Deputy

Pursuant to the provisions of section 3503 and 3513 of the Elections code, you are hereby notified that on this day we mailed to the proponent of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Floyd D. Shimomura

FLOYD D. SHIMOMURA
Deputy Attorney General

FDS:rrc

Enclosure

0394

Date: June 29, 1987
File No.: SA 87 RF 0006

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

OCEAN NET FISHING. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits the use of gill nets, trammel nets, trawl nets, or any other type of entangling net in ocean waters within 3 nautical miles of the California coast. Declares it unlawful to possess, land, sell, offer for sale or purchase any fish taken in violation of the foregoing prohibition. Provides limited exceptions for harvesting herring and gathering scientific data. Makes violation a misdemeanor and provides for fines and imprisonment. Permits the Legislature to close additional waters or to restrict the taking under commercial fishing licenses to carry out the measure's intent. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Costs are difficult to estimate. However, state enforcement costs are probably less than \$200,000 a year. Net loss from reduced fishing license, permit, and tax revenues is probably less than \$200,000 a year. Unknown cost of prosecution and offsetting revenues from fines.

AN AMENDMENT TO THE CALIFORNIA CONSTITUTION
Adding Section 2.5 to Article XA as follows:

Section 1 - In order for the people of California to protect, preserve and maintain the ocean resources of this state, and to provide an environmentally balanced resource, it hereby enacts this amendment entitled "The Ocean Resources Emergency Protection Law".

Section 2 - Notwithstanding any provision of the law, no person shall use or operate or assist in using or operating a gill net, trammel net, trawl net or any of the other types of entangling nets in ocean waters:

(a) Within 3 nautical miles from the mainland coastline between the western extension of the California-Oregon boarderline and the western extension of the United States, Republic of Mexico and within 3 nautical miles of any of California's offshore islands.

(b) Less than 35 fathoms between a line running 180 degrees true from Point Fermin and a line running 270 degrees true from the south jetty of Newport Harbor.

Section 3 - The following exceptions are made to the above sections:

(a) The use of gill nets to harvest herring; and

(b) The use of trawl or any other types of entangling nets of a design approved by the California State Fish and Game Commission for the sole purpose to gather scientific data.

Section 4 - It is unlawful for any person to possess, land, sell, offer for sale or purchase any fish taken in violation of this provision.

Section 5 - Violation of any provision herein shall constitute a misdemeanor, and result in a fine of not less than \$2,000 or the retail value of the illegally caught fish, whichever amount is greater, the forfeiture of the net used at the time of violation; a second and subsequent violation herein shall result in addition to the forgoing imprisonment for not less than 90 days nor more than one year.

Section 6 - The legislature shall not enact any legislation which would invalidate in part or in whole any provision set forth herein. However, the legislature may order any additional closure of any waters or otherwise restrict the taking under commercial fishing license to carry out the intent of this amendment.

Section 7 - If any provision or portion of this amendment shall be declared unconstitutional, such provision(s) shall be stricken and the remaining provision(s) of the amendment shall remain in full force and effect.

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

(916) 323-1995

June 29, 1987

Kenneth J. Kukuda
President/Publisher
South Coast Sportfishing
P.O. Box 26047
Santa Ana, CA 92799-6047

Initiative Title and Summary.
Subject: OCEAN NET FISHING. INITIATIVE CONSTITUTIONAL
AMENDMENT
Our File No.: SA 87 RF 0006

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Floyd D. Shimomura

FLOYD D. SHIMOMURA
Deputy Attorney General

FDS:rrc

Attachment



DECLARATION OF MAILING

The undersigned Declarant, states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy of copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: June 29, 1987

Subject: OCEAN NET FISHING. INITIATIVE CONSTITUTIONAL AMENDMENT


Our File No.: SA 87 RF 0006

Name of Proponents and Addresses:

Kenneth J. Kukuda
President/Publisher
South Coast Sportfishing
P.O. Box 26047
Santa Ana, CA 92799-6047

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California June 29, 1987.


ROSEMARY R. CALDERON
Declarant



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

0394

Elections Division
(916) 445-0820
TDD: (800) 833-8683

December 2, 1987

TO: ALL REGISTRARS OF VOTERS AND COUNTY CLERKS
AND PROPONENT (87103)

FROM:


DEBORAH SEILER

Assistant to the Secretary of State
Elections and Political Reform

Pursuant to Elections Code § 3520, subd. (b) you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: OCEAN NET FISHING.
INITIATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: June 29, 1987

PROPONENTS: Kenneth J. Kukuda

DS/lgw

F.INIT

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

(916) 323-1995

June 29, 1987

Mr. James R. Driscoll
Chief Clerk of the Assembly
3196 State Capitol
Sacramento, California 95814

Dear Mr. Driscoll:

Proposed Initiative.

Subject: OCEAN NET FISHING. INITIATIVE CONSTITUTIONAL AMENDMENT
Our File No.: SA 87 RF 0006

Pursuant to Elections Code section 3506, a copy of the title and summary and the text of the above identified proposed initiative are enclosed.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

A handwritten signature in black ink, reading "Floyd D. Shimomura", is written over the typed name of the Deputy Attorney General.

FLOYD D. SHIMOMURA
Deputy Attorney General

FDS:rrc

Enclosure



JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

(916) 323-1995

June 29, 1987

Mr. Darryl R. White
Secretary of the Senate
3044 State Capitol
Sacramento, California 95814

Dear Mr. White:

Proposed Initiative.
Subject: OCEAN NET FISHING. INITIATIVE CONSTITUTIONAL AMENDMENT
Our File No.: SA 87 RF 0006

Pursuant to Elections Code section 3506, a copy of the title and summary and the text of the above identified proposed initiative are enclosed.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

A handwritten signature in black ink, reading "Floyd D. Shimomura", is written over the typed name.

FLOYD D. SHIMOMURA
Deputy Attorney General

FDS:rrc

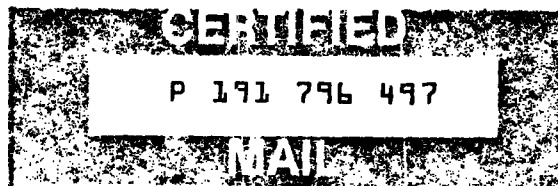
Enclosure

POST OFFICE
SANTA ANA, CA
MAY 22 1987
14 10 41

Post Office Box 26047 Santa Ana, CA 92799-6047



The #1 Saltwater Magazine Covering Southern California and Baja.



Return Receipt Requested



Mr. John VanDeKamp
Attorney General
555 Capitol Mall
Suite 350
Sacramento, CA 95814

KENNETH J. KUKUDA
President/Publisher
DIANE SCHRAMEL
Vice President/Operations
RICHARD HELDT
Senior Editor
JIM BURSCH
Director of Advertising
DEANNA LE VASSEUR
Director of Operations



3400 W. MacArthur Blvd.
Santa Ana, CA 92704

P.O. Box 26047
Santa Ana, CA 92799-6047
(714) 540-2144

May 22, 1987.

Mr. John VanDeKamp
Attorney General
555 Capitol Mall
Suite 350
Sacramento, CA 95814

Dear Attorney General:

Attached find a draft of an initiative submitted to your office in connection with this request for a title and summary of the measure. Also enclosed is the \$200.00.

Thank you in advance for your cooperation and courtesy in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kenneth J. Kukuda", is written over the typed name.

Kenneth J. Kukuda
President/Publisher

KJK/klc

Encl.

KENNETH J. KUKUDA
President/Publisher
DIANE SCHRAMMEL
Vice President/Operations
RICHARD HELDT
Senior Editor
JIM BURSCH
Director of Advertising
DEANNA LE VASSEUR
Director of Operations



3700 W. MacArthur Blvd.
Santa Ana, CA 92704

P.O. Box 26047
Santa Ana, CA 92799-6047
(714) 540-2144

May 22, 1987

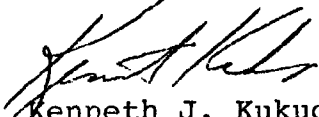
Mr. John VanDeKamp
Attorney General
555 Capitol Mall
Suite 350
Sacramento, CA 95814

Dear Attorney General:

Attached find a draft of an initiative submitted to your office in connection with this request for a title and summary of the measure. Also enclosed is the \$200.00.

Thank you in advance for your cooperation and courtesy in this matter.

Sincerely,


Kenneth J. Kukuda
President/Publisher

KJK/klc

Encl.

RECEIVED
ELECTIONS DIVISION

MAY 28 1987

DELETED

AN AMENDMENT TO THE CALIFORNIA CONSTITUTION
Adding Section 2.5 to Article XI as follows:

Section 1 - In order for the people of California to protect, preserve and maintain the ocean resources of this state, and to provide an environmentally balanced resource, it hereby enacts this amendment entitled "The Ocean Resources Emergency Protection Law".

Section 2 - Notwithstanding any provision of the law, no person shall use or operate or assist in using or operating a gill net, trammel net, trawl net or any of the other types of entangling nets in ocean waters:

(a) Within 3 nautical miles from the mainland coastline between the western extension of the California-Oregon boarderline and the western extension of the United States, Republic of Mexico and within 3 nautical miles of any of California's offshore islands.

(b) Less than 35 fathoms between a line running 180 degrees true from Point Fermin and a line running 270 degrees true from the south jetty of Newport Harbor.

Section 3 - The following exceptions are made to the above sections:

(a) The use of gill nets to harvest herring; and

(b) The use of trawl or any other types of entangling nets of a design approved by the California State Fish and Game Commission for the sole purpose to gather scientific data.

Section 4 - It is unlawful for any person to possess, land, sell, offer for sale or purchase any fish taken in violation of this provision.

Section 5 - Violation of any provision herein shall constitute a misdemeanor, and result in a fine of not less than \$2,000 or the retail value of the illegally caught fish, whichever amount is greater, the forfeiture of the net used at the time of violation; a second and subsequent violation herein shall result in addition to the forgoing imprisonment for not less than 90 days nor more than one year.

Section 6 - The legislature shall not enact any legislation which would invalidate in part or in whole any provision set forth herein. However, the legislature may order any additional closure of any waters or otherwise restrict the taking under commercial fishing license to carry out the intent of this amendment.

Section 7 - If any provision or portion of this amendment shall be declared unconstitutional, such provision(s) shall be stricken and the remaining provision(s) of the amendment shall remain in full force and effect.

4

Title of Initiative: Low Income Housing

Number of Pages _____ Number of Proponents _____

Initial/Date/Time

- (This must be sent to each proponent same day AG prepares Title and Summary).

- Rev. 6/9/87

INITIATIVE CALENDAR CHECK LIST

Page two

10. 12/14/91 1:20

OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:

☒ Tony
☒ Caren
☒ Jerry
☒ Deborah
☒ Barbara

11. da 16/29/91 4:00

OSSI distributes copies of initiative calendar to:

☒ All CC/ROV
☒ Political Reform (6 copies)
☒ Elections Staff
☒ LA Office via LA Pouch -
J.R. Schultz (12 copies)
☒ Initiative mailing list
☒ Extra copies for public
distribution
☒ Master copy

12. da 16/29/91 4:00

OSSI advises Assistant Chief of completion of above distribution.

13. CP 16/29/91 12:20

OSSI makes copies of log and distributes as follows:

1. Initiative canvass binder
2. Ron Wong - FTB
3. Joe Samora - Archives

14. CP 16/29/91 12:15

OSSI prepares folder for public distribution.

15. CP 16/29/91 1:45

OSSI prepares index cards for each initiative.

16. da 16/29/91 2:00

OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.

17. da 16/29/91 4:29

OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.

18. 2 16/29/91 4:36

Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room 6/29/87 1:20
Date Time

Request mail to be sent no later than 6/29/87.
Date

MAIL:

- ☒ 1st Class
☐ Bulk
☐ Book Rate
☐ Presort
☐ Third Class

CHARGES:

Amount: \$ 394.

Pieces: 1.

FREIGHT:

- ☐ UPS
☐ Purolator
☐ Greyhound (Next bus out: Yes ____ No ____)
☐ Air-Freight
☐ Truck Lines

ACTIVITY:

- ☐ Outreach (Specify: _____)
☐ County Mailings (#'s: _____)
☐ Ballot Pamphlet
☐ Other (Specify: _____)
☒ Initiative Calendar to Proponent(s).

Mail room sent requested mail on 6/29/87.

SW.
Initial (Service and Supply)

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
November 13, 1986

Contact: Caren Daniels-Meade
or Melissa Warren

OCEAN NET FISHING INITIATIVE BEGINS CIRCULATION REPORTS EU

SACRAMENTO — Secretary of State March Fong Eu announced today (Nov. 13) that she has given the proponent of the first post-election initiative the go-ahead to begin gathering signatures to qualify his measure about ocean net fishing.

The number of signatures necessary to qualify the proposed constitutional amendment is unknown at this time. The minimum number required is based on eight percent (8%) of the votes cast for all candidates for governor at the Nov. 4, 1986 general election. The official vote count will not be known until the counties complete their official canvasses (no later than Dec. 2) and the secretary of state files the statement of vote (no later than Dec. 13). The signature requirement will be announced at that time. However, the signatures will have to be submitted to county elections officials by the legal 150-day deadline of Apr. 13, 1987.

Titled "Ocean Net Fishing," the measure would prohibit the use or operation of a long line, gill net, trammel net, or any other entangling net in ocean waters within 75 nautical miles of the California coast. Under its provisions, it would be unlawful to possess, land, sell, offer for sale, or purchase any fish taken in violation of this prohibition. Violation of these provisions would be a felony punishable by fines of not less than \$5,000 or the retail value of the fish, whichever is greater, and imprisonment for not less than one year, nor more than five years.

Proponent Kenneth J. Kukuda is from Santa Ana. We were unable to locate a telephone number for him.

A copy of the initiative, its circulation calendar and title and summary is attached.

###

8682MW

Penalties Sec 394

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
June 30, 1987

Contact: Caren Daniels-Meade
or Melissa Warren

OCEAN NET FISHING INITIATIVE BEGINS CIRCULATION REPORTS EU

SACRAMENTO — Secretary of State March Fong Eu announced today (June 30) that she has given the proponent of an unsuccessful ocean net fishing initiative from Nov. 1986 the go-ahead to begin gathering signatures in an attempt to qualify a similar measure for the ballot.

Proponent Kenneth J. Kukuda is president of a sportfishing publication in Santa Ana, telephone (714) 540-2144. His measure, titled "Ocean Net Fishing," would prohibit the use or operation of a long line, gill net, trammel net, or any other entangling net in ocean waters within three nautical miles of the California coast. Under its provisions, it would be unlawful to possess, land, sell, offer for sale, or purchase any fish taken in violation of this prohibition. Violation of these provisions would be a misdemeanor punishable by fines of not less than \$2,000 or the retail value of the fish, whichever is greater, and forfeiture of the net used at the time of the violation.

The number of signatures necessary to qualify the proposed constitutional amendment is 595,485. The signatures must be submitted to county elections officials by the legal 150-day deadline of Nov. 27.

The previous measure, also titled "Ocean Net Fishing" was launched last November and failed to qualify for the ballot in April.

A copy of the initiative, its circulation calendar and title and summary is attached.

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8716MW